

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

RONALD AQUINO, on behalf of himself and
others similarly situated,

Plaintiff,

-against-

MAMICA, INC. d/b/a IL RICCIO RESTAURANT,
MARIO BENFORTE, CARMINE ERCOLANO, and
MICHELE GIANCASPRO,

Defendants.

Case No. 16-CV-8952
(RWS)

STIPULATION AND
ORDER OF DISMISSAL



WHEREAS, on November 17, 2016, Plaintiff filed a complaint, which asserted claims for, *inter alia*, unpaid minimum wages and overtime compensation under the Fair Labor Standards Act, 29 U.S.C. §§ 201 *et seq.* ("FLSA"), and the New York Labor Law;

WHEREAS, although commenced as a putative collective action under the FLSA, Plaintiff did not seek any certification and no individuals received notice of this action;

WHEREAS, the parties settled this action based upon arms-length negotiations, the terms of which have been judicially reviewed and are deemed fair and reasonable, and are incorporated herein by reference; and

WHEREAS, the United States District Court for the Southern District of New York shall retain jurisdiction over all proceedings solely to enforce the terms of the settlement between the parties in this action;

IT IS HEREBY STIPULATED AND AGREED by and between the undersigned counsel for the Plaintiff and Defendants that this action is hereby dismissed and discontinued in its entirety with prejudice pursuant to Rule 41(a)(2) of the Federal Rules of Civil Procedure.

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Dated: New York, New York
May 18, 2017

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By:

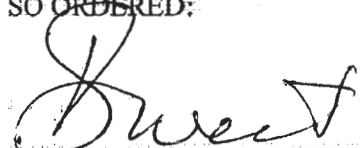

Justin Ciletti

ALAN J. HARRIS, P.C.
Attorney for Defendants
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By:


Alan J. Harris

SO ORDERED:


Robert W. Sweet, U.S.D.J.

5-19-17